

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CROSLEY ET AL,

Plaintiff,

v.

CITY OF PITTSBURG ET AL,

Defendant.

No. C 05-04051 JSW

**ORDER GRANTING
ADMINISTRATIVE MOTION TO
CONSIDER PLAINTIFF'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

The Court has considered Plaintiffs' administrative motion to consider their motion for partial summary judgment, which moves for summary judgment on the basis that the Defendants violated Plaintiff Doris Crosley's Fourth Amendment rights by making a warrantless entry into her home. Defendants have not filed an opposition to Plaintiffs' administrative motion within the time period required under the Northern District Civil Local Rules, and the motion is ripe for decision.

The Court finds good cause to grant Plaintiffs' administrative motion. In addition, although the Northern District Civil Local Rules contemplate continuing a hearing when a motion for summary judgment has not been filed with the requisite 35 day notice, Plaintiffs raised the issue that is the subject of their partial motion in their opposition to Defendants' motion. Further, Defendants respond to that argument in their reply brief. The Court thus believes it is appropriate to address Plaintiffs' cross-motion in connection with Defendants' motion.

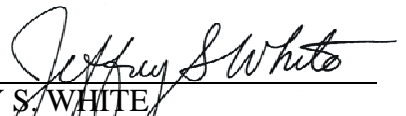
Therefore, the HEARING on Defendants' motion is CONTINUED to August 31, 2007 at 9:00 a.m. The Court will hear Plaintiffs' motion for partial summary judgment on that date

1 as well, and if Defendants wishes to present any further argument or evidence in opposition to
2 the motion, they shall do so by no later than August 10, 2007. Because Plaintiffs' motion
3 presents a discrete legal issue, any supplemental brief from Defendants shall not exceed eight
4 pages. Plaintiffs' reply brief shall be due by no later than August 17, 2007, and also shall not
5 exceed eight pages.

6 If the parties wish to modify the hearing date or briefing schedule, they must submit
7 either a stipulation and proposed order showing good cause to do so, or an administrative
8 request to alter the schedule, again showing good cause to do so.

9 **IT IS SO ORDERED.**

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11 Dated: July 30, 2007


12 JEFFREY S. WHITE
13 UNITED STATES DISTRICT JUDGE
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